REMARKS

Claims 1-29 are pending. Claims 1, 2, 7, 8, 10, and 27-29 are amended. The remaining claims are unchanged.

The claim amendments are supported by the application as originally filed. No new matter has been added. Applicant respectfully requests reconsideration based on the foregoing amendments and these remarks.

Drawing Objection

Formal drawings submitted with this response address this objection. Reconsideration is respectfully requested.

Claim Rejections - 35 U.S.C. § 101

Claims 1 and 2 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. The Office Action states that statutory subject matter is determined "by what actions the computer performs to achieve a practical application with a useful, concrete and tangible result." Claims 1 and 2 define actions, which can be implemented to achieve such a practical application. For instance, claims 1 and 2 define the actions of generating an alert message and transmitting the alert message. An alert message can indicate an error condition, for instance, as recited in claim 1. The recipient of the transmitted message can be informed of the error condition, and respond accordingly. For example, in the event of a transmission error, the recipient can request that the sender resend the message.

Reconsideration is respectfully requested.

Claim Rejections - 35 U.S.C. § 102

Claims 1-29 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent Publication No. US 2002/0019848, Sugawara et al. (hereinafter Sugawara). Applicant respectfully requests that this rejection be withdrawn for the following reasons.

Claim 3, by way of example, defines a method of operating a message exchange network, where an event is detected, and an alert message is generated in response to detecting the event. Claim 3 recites the features of:

> coordinating a message generated by a message sender with a message recipient;
>
> detecting an event associated with said message;
>
> generating an alert message in response to detecting said event; and
>
> **transmitting said alert message to said message recipient.**
>
> (Emphasis added).

The feature of transmitting the alert message to the message recipient provides several benefits. For example, as explained in paragraph [0028] of the application as filed, "the intended message recipient can be notified of the detected event without having participated in the messaging." Also, "the intended message recipient can be notified of the detected event even if a request message or a notification message is aborted while being sent to the message recipient." (Paragraph [0028]). In addition:

> Such configuration is useful, for example, in connection with providing customer support. In this case, an organization can be alerted to difficulties its customers are experiencing in sending messages to the organization, and the organization can respond appropriately. (Paragraph [0028]).

Transmitting the alert message to the message recipient can also facilitate transmitting purchase orders between application programs, as explained in paragraph [0033].

Sugawara fails to disclose or suggest the feature of "transmitting said alert message to said message recipient," as recited in claim 3. Instead, Sugawara only teaches a method for notifying a transmitter, in the form of an internet facsimile (FAX) apparatus, of the result of an image transmission.

The point of the Sugawara application is to notify the transmitter, not any intended recipient, of the delivery status. This is evidenced by the "objects of the invention" in Sugawara: "That is, it is an object of the invention to provide means for notifying the user of details of a message disposition notification situation or a delivery status notification situation of a transmission image in an Internet facsimile apparatus on a transmitter side." (Sugawara, paragraph [0006]). There is no teaching in Sugawara of sending a delivery status notification to the intended recipient of the message.

For instance, as explained in paragraph [0129], Sugawara allows the sender at the FAX machine to "correctly grasp the contents of the communication situation and communication result of the Internet FAX transmission." The "FAX operation unit," on which the communication management information is displayed, is the device used to send, not receive, the communication. (Sugawara, paragraph [0130]; see also paragraphs [0051] and [0078]).

Sugawara also describes "a Web server function for opening various data to web clients" in paragraph [0131]. However, nowhere does Sugawara disclose or suggest that making data available for access on a web server involves transmitting an alert message to a message recipient, as provided in claim 3.

Because Sugawara fails to disclose or suggest at least one feature of claim 3, it is respectfully submitted that claim 3 is not anticipated by Sugawara, and that the rejection of claim 3 under 35 U.S.C. § 102(b) should be withdrawn.

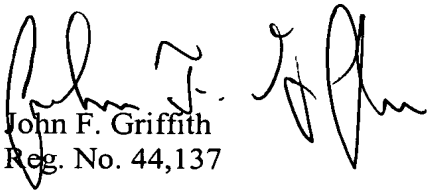
Claims 1, 2, and 27 have been amended to incorporate similar features as claim 3. Therefore, the rejections of these claims should be withdrawn for similar reasons as above.

The rejections of the dependent claims should also be withdrawn. The various dependent claims incorporate all of the features of the independent claims on which they are based and, therefore, are not anticipated for at least the reasons discussed above.

Conclusion

The Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP



John F. Griffith
Reg. No. 44,137

P.O. Box 70250
Oakland, CA 94612-0250
(510) 663-1100